

### **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1. (currently amended) A surgical tool for implantation of an electrode array comprising:

an end portion having a ~~rounded point~~ substantially hemispherical shape, the substantially hemispherical shape defining a rounded front surface and a back surface opposite the rounded front surface;

a base portion coupled to ~~said end portion opposite said rounded point~~ the back surface of the end portion at a first location of the back surface; and

a top portion coupled to ~~said end portion opposite said rounded point~~ the back surface of the end portion at a second location of the back surface, the end portion forming a radius between said base portion and said top portion, forming a space between said base portion and said top portion whereby said base portion is parallel to said top portion

wherein a distance between the first location and the second location defines the distance between the base portion and the top portion, and wherein the base portion is substantially parallel to the top portion.

2. (currently amended) The surgical tool according to claim 1, further comprising a hinge connecting said top portion to said ~~rounded point~~ end portion.

3. (currently amended) The surgical tool according to claim 1, wherein said top portion and ~~based~~ base portion are curved to radii wherein the top portion and base portion remain equally spaced from each other.

4. (original) The surgical tool according to claim 3, wherein said radii approximate the radius of an eye.

5. (original) The surgical tool according to claim 1, wherein said top portion and said base portion are curved on surfaces facing outward and flat on surfaces facing each other.

6. (original) The surgical tool according to claim 1, further comprising a keeper connected to said base portion and limiting travel of said top portion.

7. (currently amended) The surgical tool according to claim 1, further comprising notches in said base portion adapted to meet guides in said top portion and latch said base portion and said top portion together.

8. (original) The surgical tool according to claim 1, fashioned from a biocompatible elastic material.

9. (original) The surgical tool according to claim 8, wherein said biocompatible elastic material is ABS.

10. (original) The surgical tool according to claim 8, wherein said biocompatible elastic material is stainless steel.

11. (currently amended) The surgical tool according to claim 1, wherein said ~~radius~~ distance between the base portion and the top portion is adapted to fit said electrode array when placed between said top portion and said ~~bottom~~ base portion.

12. (currently amended) A method of implanting an electrode array comprising:

providing a surgical tool having an end portion having a ~~rounded point~~ substantially hemispherical shape, the substantially hemispherical shape defining a rounded front surface and a back surface opposite the rounded front surface, a base portion coupled to ~~said end section opposite said rounded point~~ the back surface of the end portion at a first location of the back surface, a top portion coupled to ~~said end section opposite said rounded point~~ the back surface of the end portion at a second location of the back surface, ~~the end portion forming a radius between said base portion and said top portion forming a space between said base portion and said top portion whereby said base portion is parallel to said top portion~~ wherein a distance between the first location and the second location defines the distance between the base portion and the top portion, and wherein the base portion is substantially parallel to the top portion;

placing an electrode between said top portion and said base portion with a cable coupled to said electrode extending in a direction opposite from said ~~rounded point~~ end portion;

passing said surgical tool and said electrode array into a body, said ~~rounded point~~ front surface first.

13. (currently amended) The method according to claim 12, further comprising the step of using said rounded-~~point~~ front surface to separate extra ocular muscle.

14. (original) The method according to claim 12, further comprising the step of inserting said surgical tool into an orbital socket.

15. (currently amended) The method according to claim 12, further comprising the step of releasing said electrode array from said surgical tool once it is within the orbital socket.

16. (currently amended) The method according to claim 15, further comprising the step of inserting said surgical tool into the orbital socket through a hole in a skull.

17. (currently amended) The method according to claim 12, further comprising the step of providing a hinge between said top portion and said ~~bottom~~ base portion.

18. (currently amended) The method according to claim 17, further comprising the step of applying pressure to said top portion and said ~~bottom~~ base portion to retain said electrode array within said top portion and said ~~bottom~~ base portion.

19. (currently amended) The method according to claim 12, further comprising the step of curving said top portion and said ~~bottom~~ base portion such that they remain equally spaced.

20. (currently amended) A surgical tool for implantation of an electrode array comprising:

an end portion having a ~~rounded point~~ substantially hemispherical shape, substantially the hemispherical shape defining a rounded front surface and a back surface opposite the rounded front surface;

a base portion coupled to ~~said end portion opposite said rounded point~~ the back surface of the end portion at a first location of the back surface, said base portion having an outer surface which is concave in one dimension and convex in another dimension, and having an inner surface which is convex in one dimension and flat in another dimension;

a top portion coupled to ~~said end section opposite said rounded point~~ point the back surface of the end portion at a first location of the back surface, said top portion having an outer surface which is convex in two dimensions and having an inner surface which is concave in one dimension and flat in another dimension; and

wherein ~~said end portion forms a radius between said base portion and said top portion, forming a space between said base portion and said top portion whereby said base portion is equally spaced from said top portion along both of their inner surfaces a distance between the first location and the second location defines the distance between the base portion and the top portion, and wherein the base portion is substantially parallel to the top portion.~~

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